

ASSEMBLY BILL

No. 1892

Introduced by Assembly Member Halderman

February 22, 2012

An act to add Section 338 to the Business and Professions Code, and to add Section 898 to the Civil Code, relating to construction defects.

LEGISLATIVE COUNSEL'S DIGEST

AB 1892, as introduced, Halderman. Construction defects: homeowners.

Existing law establishes the Department of Consumer Affairs. Existing law also specifies the rights of a homeowner to bring an action against a builder for construction defects, including the applicable standards for home construction, the statute of limitations, the burden of proof, the damages recoverable, prelitigation procedures, and the obligations of the homeowner.

This bill would require the Department of Consumer Affairs to post information on its Internet Web site concerning a homeowner's rights and responsibilities in bringing an action against a builder for construction defects.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 338 is added to the Business and
- 2 Professions Code, to read:
- 3 338. The department shall post information on its Internet Web
- 4 site concerning actionable construction defects, the obligations of

1 builders and homeowners in construction defect cases, prelitigation
2 procedures, and the requirements for bringing a construction defect
3 claim against a builder under Title 7 (commencing with Section
4 895) of Part 2 of Division 2 of the Civil Code.

5 SEC. 2. Section 898 is added to the Civil Code, to read:

6 898. The Department of Consumer Affairs shall post
7 information on its Internet Web site concerning actionable
8 construction defects, the obligations of builders and homeowners
9 in construction defect cases, prelitigation procedures, and the
10 requirements for bringing a construction defect claim against a
11 builder under this title.